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12W AF/2828
ATTORNEY DOCKET NO. 10021105-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Russel W. Gruhlke

Serial No.: 10/651,677

Examiner: James Vannucci

Filing Date: August 29, 2003

Group Art Unit: 2828

Title: WAVELENGTH TUNING AN EXTERNAL CAVITY LASER WITHOUT MECHANICAL MOTION

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, , rejecting the following claims

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

☐ The extension fee has already been filled in this application.

☒ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

(X) I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV628782493US, in an envelope addressed to: MS Amendment, Director for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 02/15/2006 OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Phyllis Ewing

Signature:

Respectfully submitted,

Russel W. Gruhlke

By

Michael A. Papalas
Attorney/Agent for Applicant(s)

Reg. No. 40,381

Date: 02/15/2006

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Rev 10/04 (NoteAppeal)